

REMARKS

Claims 1-17 are all the claims pending in the application.

New claim 18 has been added to provide additional claim coverage.

Applicants thank the Examiner for communicating with Applicants' attorney on September 24, 2004 regarding the finality of the Office Action. The Examiner's Interview Summary dated October 8, 2004 accurately summarizes the communication.

PRIOR ART REJECTIONS

The Examiner has rejected claims 1, 9 and 17 under 35 U.S.C. § 103(a) as being unpatentable over JP-1122753 (Tanaka) in view of JP-2000-119673 (Iso et al.) and U.S. Patent No. 5, 655,844 (Takano). Applicants traverse these rejections because the cited references fail to disclose or suggest all of the claim limitations. Applicants' remarks as set forth in the Amendments filed on September 22, 2003 and June 8, 2004 are still pertinent and, therefore, are incorporated herein by reference.

With respect to claims 1, 9 and 17, the cited references, Tanaka, Iso and Takano fail to teach or suggest the state as shown in Figs. 3A to 3D, which provide an example of the claimed invention. That is, when the bearing effective clearance in the radial direction is previously set at a positive value, a contact position of the rolling element with respect to raceway surface of inner ring is shiftable in a circumferential direction thereof in case where outer and inner rings are rotated with their relative rotation zero, so that there is no fretting that the rolling element collides repetitively with raceway surface of inner ring or outer ring at the same position thereof. See for example paragraphs [0032] and [0033] for a more detailed explanation of Figs. 3A to 3D.

It appears that the Examiner may not fully understand the above-state in the case where the bearing effective clearance in the radial direction is previously set at a positive value when outer and inner rings are rotated with their relative rotation zero. Applicants also note that not all positive radial clearances will cause a shift between the inner and outer rings. Therefore, Applicants disagree that there would be an “inherent” shift when the forces applied to the device change due to bearing clearance. For at least these reasons, Applicants request that the Examiner reconsider and withdraw the rejections of claims 1, 9 and 17.

The Examiner rejected claims 2 and 10 under §103(a) as being unpatentable over Tanaka in view of Iso and Takano, and further in view of US Patent 4,371,220 to Brucher (hereinafter Brucher). Applicants respectfully traverse this rejection for the following reasons.

As noted previously, the Examiner’s attempted combination of Tanaka, Iso, and Takano, is improper. Brucher does not teach anything that would make the Examiner’s attempted combination proper. Accordingly, this rejection is believed to be in error and should be withdrawn.

The Examiner rejected claims 3 and 11 under §103(a) as being unpatentable over Tanaka in view of Iso and Takano, and further in view of US Patent 4,629,337 to Teramachi (hereinafter Teramachi). Applicants respectfully traverse this rejection for the following reasons.

As noted previously, the Examiner’s attempted combination of Tanaka, Iso, and Takano, is improper. Teramachi does not teach anything that would make the Examiner’s attempted combination proper. Accordingly, this rejection is believed to be in error and should be withdrawn.

The Examiner rejected claims 4 and 12 under §103(a) as being unpatentable over Tanaka in view of Iso and Takano, and further in view of Brucher and Teramachi. Applicants respectfully traverse this rejection for the following reasons.

As noted previously, the Examiner's attempted combination of Tanaka, Iso, and Takano, is improper. Brucher and Teramachi do not teach anything that would make the Examiner's attempted combination proper. Accordingly, this rejection is believed to be in error and should be withdrawn.

The Examiner rejected claims 5 and 13 under §103(a) as being unpatentable over Tanaka in view of Iso and Takano, and further in view of US Patent 4,4,650,195 to Dreschmann et al. (hereinafter Dreschmann). Applicants respectfully traverse this rejection for the following reasons.

As noted previously, the Examiner's attempted combination of Tanaka, Iso, and Takano, is improper. Dreschmann does not teach anything that would make the Examiner's attempted combination proper. Accordingly, this rejection is believed to be in error and should be withdrawn.

The Examiner rejected claims 6 and 14 under §103(a) as being unpatentable over Tanaka in view of Iso and Takano, and further in view of Brucher and Dreschmann. Applicants respectfully traverse this rejection for the following reasons.

As noted previously, the Examiner's attempted combination of Tanaka, Iso, and Takano, is improper. Brucher and Dreschmann do not teach anything that would make the Examiner's attempted combination proper. Accordingly, this rejection is believed to be in error and should be withdrawn.

The Examiner rejected claims 7 and 15 under §103(a) as being unpatentable over Tanaka in view of Iso and Takano, and further in view of Teramachi and Dreschmann. Applicants respectfully traverse this rejection for the following reasons.

As noted previously, the Examiner's attempted combination of Tanaka, Iso, and Takano, is improper. Teramachi and Dreschmann do not teach anything that would make the Examiner's attempted combination proper. Accordingly, this rejection is believed to be in error and should be withdrawn.

The Examiner rejected claims 8 and 16 under §103(a) as being unpatentable over Tanaka in view of Iso and Takano, and further in view of Brucher, Teramachi, and Dreschmann. Applicants respectfully traverse this rejection for the following reasons.

As noted previously, the Examiner's attempted combination of Tanaka, Iso, and Takano, is improper. Brucher, Teramachi and Dreschmann do not teach anything that would make the Examiner's attempted combination proper. Accordingly, this rejection is believed to be in error and should be withdrawn.

Applicants have added new claim 18 to further define the invention. Claim 18 sets forth that "wherein the positive value of the radial clearance is set such that the contact position of the rolling element with respect to the raceway surface of the inner ring is shiftable in a circumferential direction when the relative rotation between inner and outer rings is zero." This claim should be allowable for at least the same reasons as claims 1 and 17 as described above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment Under 37 C.F.R. § 1.111
U.S. Appln No. 09/925,020

Atty Dkt No. Q65831

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

JS

Jeffrey A. Schmidt #40,766
Jeffrey A. Schmidt
Registration No. 41,574

Date: April 8, 2005